

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PHOENIX PAYMENT SYSTEMS, INC.	)	
d/b/a ELECTRONIC PAYMENT	)	
EXCHANGE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 07-537-***
	)	
LEXCEL, INC. and	)	
LEXCEL SOLUTIONS, INC.,	)	
	)	
Defendants.	)	

**STIPULATION AND PROPOSED ORDER**

Plaintiff Phoenix Payment Systems, Inc. d/b/a Electronic Payment Exchange and Defendants Lexcel, Inc. and Lexcel Solutions, Inc. hereby stipulate and agree, subject to the approval of the Court, that the time for Defendants to move, answer, counterclaim or otherwise respond to the Complaint of Phoenix Payment Systems, Inc. is extended up to and including October 24, 2007. Defendants further stipulate that they received a copy of the complaint in this matter by registered mail on September 20, 2007, and that the Declaration of Mailing filed by Plaintiff indicates that the package was sent on September 10, 2007. Defendants reserve all rights and defenses, including, but not limited to, defenses and objections as to venue, personal jurisdiction, and service of process. Nothing herein shall be construed as a waiver of any such defenses and objections or as a consent to jurisdiction.

Respectfully submitted,

Dated: September 26, 2007

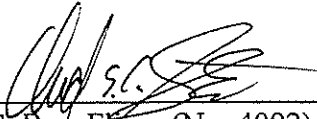
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Lexcel, Inc. and Lexcel Solutions, Inc.*

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2007,

\_\_\_\_\_  
United States District Judge